

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
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Inventors: Andrew Paul SHAWCROSS et al.)	Confirmation No. 7346
)	
Appln. No. 10/530,755)	Group Art Unit: 2853
)	
Filed: October 12, 2005)	Examiner: Shah, M.S.
)	
For: MONOAZO COMPOUNDS AND INKS)	
CONTAINING THEM)	

RESPONSE TO OFFICE ACTION

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action dated June 6, 2008, reconsideration of this application is requested.

Initially it is noted that the Examiner has rejected applicants' claims 1-13 under Section 102(b) as anticipated by Satoh (U.S. 5,713,992). Additionally, claims 1-5 and 13 have been rejected under Section 102(b) as anticipated by Kayane et al. (U.S. 4,841,031).

The Examiner's action has been made final, notwithstanding the fact that both Satoh and Kayane are newly cited. A final rejection, in the circumstances, is not appropriate. Accordingly, if the Examiner does not allow the applicants' claims for the reasons noted below, the Examiner is requested to withdraw the finality of the present action.

The Examiner's references clearly do not disclose the applicants' invention. Accordingly, the Examiner's Section 102(b) rejections should be withdrawn and the claims allowed.

With respect to the rejection based on Satoh et al., the applicants note that Satoh et al. describes compounds where a phenyl group is linked to a naphthyl group

via an azo bond. In contrast, the compounds of Formula (1) in applicants' claim 1 comprises a naphthyl group linked to a second naphthyl group via an azo bond.


Furthermore, Satoh et al. teach a triazine component with two amino substituents. In contrast, the compounds of Formula (1) in applicants' claim 1 have a triazine component with one amino substituent and a compulsory hydroxy substituent.

The applicants' compounds of claim 1 thus differ substantively from the Satoh et al. compounds in at least two respects. Claim 1, therefore, is not anticipated by Satoh et al. The same is true for claims 2-13, all of which depend, directly or indirectly, from claim 1. Accordingly, the Examiner's Section 102(b) rejection of claims 1-13 on the basis of Satoh et al. is not appropriate and should be withdrawn.

The same is true for the Examiner's Section 102(b) rejection of claims 1-5 and 13 based on Kayane et al. More particularly, the compounds of Formula (1) in applicants' claim 1 are not disclosed in Kayane et al. which is concerned with reactive dyes containing an active chloro triazine group. In the applicants' compounds, the reference chloro is replaced by a compulsory hydroxyl substituent. Thus, claim 1 is novel over Kayane et al. and the same is true for claims 2-5 and 13, all of which depend, directly or indirectly, from claim 1. Accordingly, the Examiner's Section 102(b) rejection based on Kayane et al. should be withdrawn.

Favorable reconsideration of the application with allowance of the applicants' claims is requested.

Respectfully submitted,
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By 
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